

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

BRENT EVAN WEBSTER and WEBSTER
TECHNOLOGIES INC.,

No. 3:14-cv-00652-AC

Plaintiffs,

ORDER

v.

ARAMARK CORRECTIONAL SERVICES,
INC., MULTNOMAH COUNTY OREGON,
JUDGE MICHAEL MARCUS, DDA ADAM
GIBBS, SGT. D'MOORE, SGT. HAASE, PPO
OFFICER HOESLEY, CANNON COCHRAN
MANAGEMENT SERVICES, INC., SR. CLAIMS
EXAMINER THERESE BRADY, CORVEL
ENTERPRISES COMP INC., SR. CLAIMS
SPECIALIST JD TAYLOR, ERIC J. FOSS, and
DOES 1–100,

Defendants.

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HERNÁNDEZ, District Judge:

Magistrate Judge Acosta issued a Findings and Recommendation [58] on November 11, 2014, in which he recommends that the Court grant Defendants' motions to dismiss [27, 31, 35, 36, and 44] and dismiss Plaintiff Webster Technologies, Inc. as a plaintiff. Plaintiff Webster timely filed objections to the Findings and Recommendation. The matter is now before me pursuant to 28 U.S.C. § 636(b)(1) and Federal Rule of Civil Procedure 72(b).

When any party objects to any portion of the Magistrate Judge's Findings and Recommendation, the district court must make a *de novo* determination of that portion of the Magistrate Judge's report. 28 U.S.C. § 636(b)(1); Dawson v. Marshall, 561 F.3d 930, 932 (9th Cir. 2009); United States v. Reyna-Tapia, 328 F.3d 1114, 1121 (9th Cir. 2003) (en banc).


I have carefully considered Plaintiff's objections and conclude that the objections do not provide a basis to modify the recommendation. I have also reviewed the pertinent portions of the record *de novo* and find no error in the Magistrate Judge's Findings and Recommendation.

CONCLUSION

The Court adopts Magistrate Judge Acosta's Findings and Recommendation [58]. Therefore, Defendants' motions to dismiss [27, 31, 35, 36, and 44] are granted. Plaintiff Webster Technologies, Inc. is dismissed as a plaintiff to this action, all claims against Defendants Aramark, Foss, Cannon Cochran, Brady, Corvel, Taylor, Hoesley, Marcus, and Gibbs are dismissed, and Defendants' Marcus and Gibbs's motion in the alternative to strike or for a more definite statement [36] is denied as moot. The claims are dismissed with prejudice, with the exception of the breach of contract claim, which is dismissed without prejudice. It is further noted that all lawsuits filed by Plaintiff Webster in the District of Oregon is subject to a Pre-Filing Order, In Re Webster, In re Kelly, No. 3:11-mc-09266, to ensure that the lawsuit is not frivolous or repetitive.

IT IS SO ORDERED.

DATED this 23 day of Dec, 2014


MARCO A. HERNÁNDEZ
United States District Judge